United Nations A/CONF.192/PC/10

General Assembly

Distr.: General
11 July 2000

Original: English

Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Note verbale dated 28 June 2000 from the Permanent Mission of Portugal to the United Nations addressed to the secretariat of the Preparatory Committee

The Permanent Mission of Portugal to the United Nations presents its compliments to the secretariat of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and, on behalf of the Government of the United States and on behalf of the European Union, has the honour to transmit for issuance as documents of the Preparatory Committee, in accordance with paragraph 9 of General Assembly resolution 54/54 V of 15 December 1999, the United States-European Union Statement of Common Principles and Action Plan on Small Arms and Light Weapons (see annexes).

00-52585 (E) 130700

Annex I to the note verbale dated 28 June 2000 from the Permanent Mission of Portugal to the United Nations addressed to the secretariat of the Preparatory Committee

United States-European Union Statement of Common Principles on Small Arms and Light Weapons

Washington, D.C., 17 December 1999

The United States and the European Union agree that the problem of the destabilizing accumulation and spread of small arms and light weapons demands the urgent attention of the international community.

They agree that a comprehensive approach is needed, addressing human security, development, law enforcement, disarmament and arms control, and legitimate national and collective defence requirements.

Both are committed to seeking urgent, concrete and practical responses through global, regional and national measures. Their approaches include stemming the flow of illicit trafficking, confronting those aspects of the legal trade that contribute to the destabilizing accumulation and spread of small arms and light weapons, and dealing with the root causes of conflict that fuel the spread of small arms.

To better address these issues, the United States and the European Union will expand their cooperation, coordinate their activities, and reaffirm the common principles governing their conduct.

The European Union pledges cooperation with the United States Comprehensive Initiative on Small Arms and Illicit Trafficking. The United States pledges cooperation with the European Union on small arms, including support for the objectives and principles of the European Union Joint Action on Small Arms and Light Weapons adopted in December 1998, consistent with United States policy and domestic legislation.

They agree that the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects should take concrete and tangible steps to combat the destabilizing accumulation and spread of small arms and light weapons.

They agree on the goal of concluding the Protocol to Combat the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition by 2000, which will serve as a key element in international efforts to combat illicit firearms trafficking.

Recognizing the special responsibilities that arms exporting States have, the United States and the European Union affirm their commitment to observe the highest standards of restraint in the transfer of small arms and light weapons. They reaffirm support for the OSCE Principles Governing Conventional Arms Transfers. With respect to policies on small arms and light weapons the United States welcomes the European Union's adoption of the European Union Code of Conduct on arms exports and the principles contained in its criteria, which the United States endorses.

The United States and the European Union agree on the importance of effective national controls for arms brokering.

The United States and the European Union underline the importance of preventing the unauthorized retransfer of small arms and light weapons.

They will explore appropriate and effective measures of transparency in the transfers of small arms and light weapons.

The United States and the European Union will work to improve their cooperation and coordination with third countries and, to that end, they will focus urgent attention on practical disarmament measures in potential conflict and post-conflict situations where the problems are most severe, in particular in Africa. They will also pursue measures to address the problem of the destabilizing accumulation and spread of small arms and light weapons in the Balkans.

The United States and the European Union resolve to encourage and support States to ensure the security of stockpiles of small arms and light weapons and to coordinate respective activities designed to assist countries to collect and destroy surplus weapons. They will contribute to reducing and ending the excessive and destabilizing accumulation and uncontrolled spread of small arms, taking into account requirements for legitimate national and collective defence, and participation in peacekeeping operations under the Charter of the United Nations and internal security.

The United States and the European Union welcome the interest of the non-governmental organization community in this field, and encourage them to continue their important efforts, which complement the work of Governments.

In furtherance of the above-mentioned principles, the United States and the European Union agree to identify areas for coordinated action.

Annex II to the note verbale dated 28 June 2000 from the Permanent Mission of Portugal to the United Nations addressed to the secretariat of the Preparatory Committee

European Union-United States Action Plan on Small Arms and Light Weapons

Washington, D.C., 17 December 1999

In support of the principles agreed by the European Union and the United States and to advance their common objectives, the European Union and the United States will take the following steps:

1. Establish a working group on small arms and light weapons for regular exchanges at the expert level. The working group will promote increased cooperation and information-sharing and evaluate progress achieved by the European Union and the United States on small arms issues. The group will meet at least once during each European Union Presidency,

2. Work together to address the problem of illicit trafficking in firearms, including the completion by 2000 of the Protocol to Combat the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition now being negotiated in Vienna as part of the Convention against Transnational Organized Crime, complementing other efforts to prevent the destabilizing accumulation and spread of small arms and light weapons.

3. Coordinate efforts to provide assistance, in particular, where the problem of the destabilizing accumulation and spread of small arms and light weapons is most severe.

4. Promote support for the observance and the enforcement of the Economic Community of West African States moratorium on the import, export and manufacturing of small arms in West Africa.

5. Promote the observance of United Nations sanctions governing arms transfers to areas of conflict in Africa. Work together in the United Nations and in other forums to strengthen enforcement of arms embargoes established under the United Nations Security Council, including working together to tighten controls on sources of financing that help sustain arms flows and violent conflict in Africa.

6. Cooperate in considering measures to combat illicit arms brokering and measures to prevent the unauthorized retransfer of small arms and light weapons.

7. Promote the inclusion in United Nations peacekeeping mandates and other relevant missions of effective measures to deal with the collection and destruction of small arms and light weapons, and to coordinate assistance provided for this purpose.

8. Cooperate with appropriate bodies of the United Nations for more effective coordination of assistance in areas severely affected by small arms problems.

9. Work together in regional forums, such as the OSCE and EAPC, in efforts to contribute to combating and preventing the destabilizing accumulation and

spread of small arms and light weapons, including stockpile management and security.

10. Coordinate their planning for a successful outcome to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects with a view to achieving tangible results at the Conference, including an action plan for the international community to deal with the small arms problem.

United Nations A/CONF.192/PC/11

General Assembly

Distr.: General
11 July 2000

Original: English

Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Note verbale dated 29 June 2000 from the Permanent Mission of Portugal to the United Nations addressed to the secretariat of the Preparatory Committee

The Permanent Mission of Portugal to the United Nations presents its compliments to the secretariat of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and, on behalf of the European Union, has the honour to transmit for issuance as documents of the Preparatory Committee, in accordance with paragraph 9 of General Assembly resolution 54/54 V of 15 December 1999, the Canadian-European Union statement, adopted at the European Union-Canada Summit in Ottawa on 16 December 1999, on small arms and light weapons (see annex).

00-52597 (E) 120700

Annex to the note verbale dated 29 June 2000 from the Permanent Mission of Portugal to the United Nations addressed to the secretariat of the Preparatory Committee

European Union-Canada statement adopted at the European Union-Canada Summit in Ottawa on 16 December 1999

The European Union and Canada establish a joint Working Group on Small Arms to Tackle the Spread and Destabilizing Accumulation of Small Arms and Light Weapons.

Further to their 2 September 1999 Joint Statement on Small Arms, the European Union and Canada are continuing to pursue their common approach to tackling the problem posed by the excessive and destabilizing accumulation and uncontrolled spread of small arms.

This problem represents a dire threat to human security. Where an environment of insecurity and fear persists in regions and communities, the continuing availability of small arms can serve to ignite or exacerbate conflict as well as to increase the duration and lethality of the violence. It can seriously hamper post-conflict peace-building efforts and initiatives to build cultures of peace. The victims are frequently found among the most vulnerable segments of society, especially children. The European Union and Canada will strengthen their cooperation to tackle this human security dilemma.

The European Union and Canada welcome the decision of the United Nations General Assembly to convene an international conference on the illicit trade in small arms and light weapons in all its aspects in June/July 2001. They will consult during the preparatory process to ensure that the outcome of the Conference manifests our common approach and provides concrete and meaningful responses to the small arms problem. The European Union and Canada will work towards ensuring that the Conference brings about effective guidelines or legally binding instruments as well as a programme of action encompassing all areas of international cooperation in small arms. They also underline the importance of integrating regional approaches to these efforts.

Both sides underscore the importance of continued work to elaborate a protocol to combat the illicit manufacturing of and trafficking in firearms, ammunition and other related materials, supplementary to the United Nations Convention against Transnational Organized Crime. Both will work diligently towards the completion of negotiations in the year 2000.

Canada continues to share the principles of the European Union Joint Action on Small Arms and Light Weapons adopted on 17 December 1998. Canada also shares the principles of the European Union Code of Conduct on Arms Exports and recognizes its contribution to ongoing international efforts to regulate the transfer of small arms. The European Union and Canada are committed to setting high standards for the management of, and restraint in, conventional arms exports and share the aim to achieve greater transparency in arms transfers. Following this commitment to high standards for arms export criteria, the European Union and Canada will promote international and regional efforts to ensure that small arms and light weapons are only transferred to States or State-authorized entities. While these

arms are the basis for the legitimate self-defence needs of all States, action must be taken to prevent these weapons from reaching the hands of oppressive State authorities, terrorists, criminals, paramilitary organizations and other non-State actors.

The European Union and Canada welcome the request to the Secretary-General of the United Nations to establish a group of governmental experts to study the phenomenon of small arms-brokering activities, including transportation agents and financial transactions.

The European Union and Canada welcome the decision on small arms and light weapons adopted by the OSCE Forum for Security Cooperation. The European Union and Canada will continue to work actively together to ensure that OSCE, Euro-Atlantic Partnership Council and other relevant forums develop concrete measures to tackle these problems.

Drawing on each other's expertise and experiences, the European Union and Canada will work together to operationalize their common approach by supporting the implementation of initiatives and projects in the most affected regions of the world, without duplicating existing initiatives. In particular, the European Union and Canada will focus on Africa as the region in most immediate need of assistance and support.

In order to further their cooperation, the European Union and Canada have decided to create a joint European Union-Canada Working Group on Small Arms. The Working Group will be convened at least once during each European Union Presidency.

United Nations A/CONF.192/PC/12

General Assembly

Distr.: General
14 July 2000

Original: English

Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Note verbale dated 6 July 2000 from the Permanent Mission of the United States of America to the United Nations addressed to the Secretariat of the Preparatory Committee

The Permanent Mission of the United States of America to the United Nations presents its compliments to the Secretariat of the first session of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and, on behalf of the Government of the United States, has the honour to transmit, as a document of the above-mentioned Preparatory Committee, in accordance with paragraph 9 of General Assembly resolution 54/54 V of 15 December 1999, the United States "Fact Sheet" on the United States Comprehensive Initiative on Small Arms and Illicit Trafficking (see annex).

00-53353 (E) 140700

Annex

United States Comprehensive Initiative on Small Arms and Illicit Trafficking

The United States of America is taking a wide range of steps to address growing international concern about trafficking in small arms and light weapons. United States efforts are intended to promote regional security, peace and reconciliation in regions of conflict and to make the world safer by helping to shut down illicit arms markets that fuel the violence associated with terrorism and international organized crime.

As the Secretary of State, Madeleine Albright, told the United Nations in September 1999, "The international community must develop an integrated, comprehensive response — in countries of origin and countries of conflict, among buyers, sellers and brokers, and with Governments as well as international and non-governmental organizations." The United States contribution to this effort is summarized below.

Organization of American States Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials. The United States was a leader in concluding in 1997 the "Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials", the first international agreement designed to prevent, combat, and eradicate illicit trafficking in firearms, ammunition and explosives. First proposed by Mexico and negotiated in just seven months, this agreement strengthens the ability of the nations of the Organization of American States to eradicate illicit arms trafficking, while protecting the legal trade in firearms. Key provisions include requiring an effective licensing or authorization system for the import, export, and in-transit movement of firearms, an obligation to mark firearms indelibly at the time of manufacture and import to help track the sources of illicit guns, and requiring States parties to criminalize the illicit manufacturing of and illicit trafficking in firearms.

International Protocol to combat illicit manufacturing of and trafficking in firearms. The United States is working towards completion of the United Nations "Protocol to combat the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition" by the end of 2000. This protocol would build on and globalize the standards incorporated in the precedent-setting Convention of the Organization of American States. The protocol is currently under negotiation in the United Nations Commission on Crime Prevention and Criminal Justice at the United Nations Office at Vienna as part of the negotiations to conclude the Convention against Organized Transnational Crime.

Arms brokering legislation. The President signed legislation in 1996 amending the Arms Export Control Act to give the State Department greater authority to monitor and regulate the activities of arms brokers. Cornerstones of the brokering provisions are the requirements that brokers must register with the Department of State, must receive State Department authorization for their brokering activities and must submit annual reports describing such activities. The United States is one of the few countries to have instituted such legislation and we are working to promote adoption of similar laws by other nations and to incorporate such a provision into the protocol

being negotiated in Vienna. Law enforcement officials made the first seizure of munitions under the provisions of the new legislation in November 1999.

Greater accountability. The United States maintains the world's most open arms export procedures and is promoting greater openness in the practices of other nations. In 1996, the President signed legislation amending the Foreign Assistance Act of 1961 to require the annual publication of information about arms authorized for commercial export by the United States that fall below the previously existing reporting thresholds for United States arms transfers. The report includes detailed, country-by-country information on the numbers of firearms, ammunition, and other "small-ticket" defence items authorized by the United States for export, setting a world standard for transparency. The United States has presented this report as a possible model of transparency to the 33-nation Wassenaar Arrangement, which promotes restraint in the export of conventional arms. The United States also publishes reports on arms flows to regions of conflict in order to raise public awareness of the issue. Last July, for example, the State Department released *Arms and Conflict in Africa*. It is available at: *www.state.gov*.

Careful scrutiny of export licences. If arms export licence applications exceed the normal, reasonable domestic needs of a given importing country or show other abnormalities, the United States will audit and, if necessary, cut off exports to that country. On that basis, the United States has suspended exports to Paraguay since 1996. In addition, United States law prohibits arms and munitions exported from the United States to be re-transferred by the recipient without prior approval from the Government, audits are conducted if diversions or trans-shipments are suspected.

Destroying excess weapons. Helping other nations destroy seized or excess firearms can be an important element in securing a lasting peace in conflict regions. The United States has contributed experts and funds to destroy small arms, light weapons and ammunition in Liberia, Haiti and the former Yugoslavia. The United States recently agreed with 10 nations of south-east Europe on a programme to destroy illicit arms in the region. The United States is also working with the Euro-Atlantic Partnership Council to prevent illicit weapons shipments to the Balkans and central Africa, and to improve security of weapons holdings.

Cracking down on financing of illicit arms. Illicit markets in valuable commodities such as diamonds have helped finance arms flows, particularly to embargoed groups and nations. The United States and other concerned countries are identifying ways to track and intercept illicit trafficking in precious gemstones used in financing conflicts in Africa. One possibility is legislation that would require each diamond to be sold with a certificate of origin guaranteeing its legality. Such an initiative would require continued close cooperation with the diamond industry, whose participation is essential for any dependably effective regime.

Embargo enforcement. The United States carefully observes sanctions and embargoes established by the United Nations. United States laws permit the prosecution of those who violate embargoes. We urge others also to criminalize such violations. We recommend that Governments find ways to exchange information on violations to truly globalize embargo enforcement. In addition, the United States does not authorize commercial or government-to-government weapons transfers to conflict areas such as the Democratic Republic of the Congo, Ethiopia, Eritrea and Angola, whose Governments are not subject to United Nations embargoes. We encourage other Governments to announce and observe such voluntary moratoria.

Vigilance at the borders. The Administration has made the prevention of illicit arms trafficking across our borders a high priority. The Bureau of Alcohol, Tobacco, and Firearms and the United States Customs Service have intensified their interdiction and investigative efforts. The Attorney General has directed United States attorneys along the south-west border to make a dedicated effort to prosecute traffickers, large and small, caught attempting to smuggle firearms.

Africa focus. Arms transfers and trafficking and the conflicts they feed are having a devastating impact on sub-Saharan Africa. Some of the programmes we are pursuing, include:

- **Africa baseline survey.** Support to the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders to survey the small arms legislation, regulations, and law enforcement capacities of African countries to provide a benchmark for future work.

- **The West African small arms moratorium.** Technical assistance for the 1998 Economic Community of West African States (ECOWAS) moratorium on the import, export and manufacturing of small arms in West Africa. We are also seeking congressional approval to release modest funding for the moratorium, which was included in the Foreign Authorizations Act for fiscal 1999.

International diplomacy. The United States is working with many nations and international organizations on the problem of illicit small arms.

- **United States-European Union.** At their December 1999 summit in Washington, D. C., the United States and the European Union released a statement of "Common Principles on Small Arms and Light Weapons", in which they pledged to observe the "highest standards of restraint" in their small arms export policies, and took further steps to harmonize their export practices and policies. They approved a 10-point action plan and established a formal working group through which they will continue their activities.

- **United Nations.** The United States was an active participant and strong supporter of the recommendations of the 1997 report of the United Nations Panel of Governmental Experts on Small Arms. The United States will also take active part in preparations for the international conference in 2001 on the "illicit arms trade in all its aspects".

- **Norway.** The United States has worked closely with a group of like-minded nations led by Norway that is helping to set the international agenda for addressing the problem of small arms proliferation. The statement released by the 18 countries attending the last such conference in Oslo in December 1999 focused special attention on the importance of regulating the activities of arms brokers. President Clinton and Norwegian Prime Minister Bondevik also announced a bilateral task force on small arms and light weapons, focusing on efforts to destroy surplus small arms in conflict zones.